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PRIMARY ELECTIONS IN IOWA

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The first effort toward securing a primary election law in Iowa was made in 1896, when three different bills were rejected by the Twenty-sixth General Assembly. In 1898 renewed efforts resulted in the adoption of a local optional primary law; and by 1902 this local primary law had been adopted in thirty-six of the ninety-nine counties of the State by at least one of the parties.

The movement for a compulsory State-wide primary election law was begun in January, 1902, when State Senator J. J. Crossley introduced a measure in the Twenty-ninth General Assembly known as the "Crossley Bill." This bill was never even reported to the Senate; while the House measure, which was identical with that of the Senate; was lost after the addition of many amendments and a long and heated debate. Senator Crossley introduced his State-wide primary election bill at each succeeding session of the General Assembly until it was finally adopted on April 4, 1907.

The chief features of the Iowa primary election law, as originally adopted in 1907, are as follows:

1. The law is compulsory and State-wide for all except judicial offices.

2. It provides for popular choice of Presidential electors and an advisory vote on United States Senators.

3. All parties participate in the primary on the same day at the same place and use the same ballot box.

4. The judges and clerks of the primary election are chosen in the same manner as for general elections and with the same compensation.

5. The Australian ballot is employed, each party having a separate ballot, and the names of candidates were originally arranged alphabetically under each office.

6. Party affiliation is determined by the elector's oral choice of ballot, which choice is made a matter of record. But party affilia-

tion can easily be changed by filing a declaration of change with the County Auditor ten days prior to the primary election, or by taking an oath when offering to vote that one has in good faith changed his party affiliation.

7. Candidates for nomination must file nomination papers from thirty to forty days prior to the primary election, depending upon the office sought. These nomination papers must contain the signatures of a certain per cent of the candidate's party vote depending upon the office sought.¹

8. A candidate to receive the nomination of his party must receive at least thirty-five per cent of all the votes cast by his party for such office. Tie votes are determined by lot, and vacancies are filled by the party committee for county, district, or State.

9. Delegates to county conventions are chosen at the primary election, as well as members of the County Central Committee. The county convention, composed of the delegates chosen in the various voting precincts, are empowered to make nominations of candidates for the party for any office to be filled by the voters of a county where no candidate for such office has been nominated at the preceding primary election. The county convention selects delegates to State and district conventions. And any of these conventions may adopt resolutions or platforms.

10. Numerous penalties are imposed for misconduct on the part of officials or for any corrupt practices.

Such are in brief the provisions of the Iowa primary election law as originally adopted in 1907. Primary legislation was one of the local issues upon which the Standpat and Progressive wings of the Republican party in Iowa were divided. The Progressives heralded its passage as one of the greatest political reforms ever accomplished in Iowa, while the Standpatters declared that it was passed only to serve the ambitions of leading Progressives. They urged many objec-

¹ Nomination papers of candidates for United States Senator, Elector at Large, and State officers must have the signatures of 1 per cent of their party vote in each of at least ten counties and in the aggregate not less than one-half of 1 per cent of the total vote of his party in the State as shown by the last general election. Candidates for offices chosen from districts composed of more than one county must have the signatures of 2 per cent of their party vote in at least one-half of the counties and in the aggregate not less than 1 per cent of his party vote in the district. Offices filled by the voters of the county must have the signatures of 2 per cent of their party vote in the county.

tions to the law and declared that it would never work well in practice. The first application of the law in 1908 was made the occasion for one of the bitterest political contests in the history of the Republican party in Iowa.

The first fruits of the Iowa primary was the apparent choice of candidates in alphabetical order. It was claimed that Allison won over Cummins in the senatorial primary because of his alphabetical advantage. The sudden death of Senator Allison necessitated a special primary on the senatorship, and in this primary Cummins won easily over Lacy. The candidates for Governor and Lieutenant-Governor likewise appear to have been selected alphabetically. The Standpat Carroll won over the Progressive Garst for Governor; while the Progressive Clarke won over the Standpat Murphy for Lieutenant Governor.

The vote cast at the first primary election varied from 40 to 60 per cent of the party vote in different localities. Many saw in this light vote the failure of the system. The public announcement and record of party affiliation undoubtedly kept many away from the polls.

Those who opposed the passage of the law, though for the most part successful at the polls, saw all of their objections verified in the first trial of the law, and still condemned it. In like manner those who were responsible for its enactment, though defeated by its provisions, still praised the system and saw no good reason for abandoning it.

These two opposing views are clearly reflected in the press comments on the first of the primary election law in Iowa. The *Register and Leader*, the leading Progressive organ in the State, in an editorial of June 5, 1908, entitled "Stand by the Primary" says in part:

Not only has the popular will been expressed but it has been expressed quietly, without disorder, coercion or bribery, there has been a freedom from drunkenness and fraud. As for expense, which will be most talked about by those who would abandon the new system, we undertake to say that more money has been spent in a single campaign in the 7th congressional district than has been spent this year in the entire state. . . . It should be remembered that the Australian ballot was not wholly satisfactory on first trial. But no one would propose to go back to the days of the unlegalized ballot.

The *Sioux City Tribune*, an organ of the Progressive Republicans, says:

The *Tribune* had a large force of trained men on the streets of Sioux City all day and most of the night, and there was little criti-

cism of the primary. On the contrary man after man was heard to praise the law as he came from the booth where he had, unmolested, been able to declare his judgment on men and issues.

The number of votes cast and the universal good order and good feeling throughout the day are unassailable testimony to the wholesomeness and popularity of the law. In this city there would not have been 400 men at caucuses, whereas more than 4000 of the very best citizens were at the primary.

The *Burlington Hawkeye*, an organ of the Standpat Republicans, remarks:

The light vote was a surprise all around. . . . After all the publicity given the primary law itself, the energetic campaign by public speakers and the press, and one of the biggest political uproars Iowa ever had, one that by its strenuousness attracted National attention, the people failed to come out and vote. . . . in the numbers predicted. . . . is it worth the extra expense to the tax payers?

The *Dubuque Times*, Standpat, declares:

The primary election law is a failure, because it imposed two general elections and two campaigns upon the press and the people, because it unnecessarily imposes enormous expense upon the tax payers of the State and upon the candidates or their friends.

The *Cedar Rapids Republican*, an organ of the Standpat Republicans, comments as follows:

Without waiting for the results so far as candidates are concerned. . . . it is safe to say that enough has transpired to demonstrate that it is utterly vicious, and worse even than it was said to be by those who opposed it at the time it was passed. Every objection urged against this law has been shown to be well founded.

Other comments on the operation of the law declare that the primary nomination method is a good deal of a farce; that it is as large and unwieldy as A. W. Richard's corn husker; that it was the contest and not the primary that drew; that the law ought to be benched; that it is a great victory for clean politics; that it is the correct system and by its enactment Iowa has taken a mighty step forward in popular government; and that it will go down in history as a grand fizzle.

The *News*, published at Winterset, the home of Senator Crossley, the father of the Iowa primary law, says:

Senator Crossley leaves next week for Alaska. Here's hoping that he takes his primary bill with him and dumps it into the Arctic.

The Iowa primary election law was amended in seventeen different sections at the first session of the General Assembly following its adoption. Most of these amendments, however, do not materially change the character of the law, but relate chiefly to procedure or are designed to make the law more explicit.²

² The amendments to the Iowa primary law passed in 1909 are as follows:

1. The statement that the vote on United States Senators is advisory was repealed. (section 1).

2. Primary expenses are to be borne the same as general election expenses. Judges and Clerks are to receive twenty-five cents per hour (section 5).

3. The time of opening and closing the polls in precincts where registration is not required was changed (section 6).

4. Candidates for party committeemen are not required to file nomination papers (section 10).

5. Secretary of State is to arrange names of candidates for State offices as they shall appear on the ballot in the several counties (section 13).

6. The County Auditor is to arrange names of candidates for district and county offices as they shall appear on the official ballot.

7. A slight change is made in the form of the primary ballot (section 14).

8. Provisions relating to the form and distribution of sample ballots were enacted (section 15).

9. Candidates are given the right to demand a recounting of ballots under certain conditions (section 18).

10. The Board of Supervisors are to make a list of the candidates who failed to receive 35 per cent of their party vote and give a copy of the same to the chairman of each party's central committee (section 19).

11. The Board of Supervisors are required to publish the results of the primary election (section 21).

12. The Executive Council is to make a list of the candidates for State offices who failed to receive 35 per cent of their party vote, and give a copy of the same to the chairman of each party's State Central Committee (section 22).

13. Provisions for the proper certification of nominations made by conventions or party committees were added (section 23).

14. The manner of filling vacancies for the office of United States Senator occurring after the primary but before the general election was provided at a special session of the General Assembly after the death of Senator Allison (section 24).

15. New Provisions relating to date of the county convention, to notification of delegates and their term of office; and limitations on powers of the county convention were made (section 25).

16. Provisions relative to district conventions were made similar to those for the county (section 26).

17. Provisions relative to the State convention were made similar to those for county and district conventions (section 27).

The two most important of the seventeen amendments are: first, the provision for the rotation of the names of candidates on the primary ballot to avoid the advantage which Adams and Brown had over Young and Zeller under the alphabetical arrangement; and second, the provision for the filling of vacancies occurring after the conventions have been held but prior to the election.

It was the first of these provisions which most interested the candidates for office at the second trial of the law in June, 1910. Again there were many surprises and some disappointments, for the primary election returns show that in most cases where a candidate's name headed the list in the county or voting precinct he usually polled the most votes. The majority of voters are said to have voted for the first name on the list.

The Iowa primary law has been subjected to much more criticism after its second trial than before. After the first trial of the law the chief criticism came from those who had opposed its enactment, and they declared it to be a farce and a failure. Recent criticism is more specific, and the consideration of these criticisms constitutes the important part of my discussion of the working of the primary system in Iowa.

The old opponents still oppose the law—some of them demanding its immediate repeal. Democratic opinion seems to be somewhat divided on the subject. The Progressives have little to say besides deploring the apparent lack of interest on the part of the people. The *Des Moines Daily Capital*, Standpat, asserts that a careful reading of the press of Iowa will disclose sixteen criticisms of the primary to one of commendation, and challenges contradiction of the statement.

The chief criticisms directed against the Iowa primary election law after its second trial may be briefly summarized. In the first place the vote cast was light. In 1908 the opponents of the system decried the failure of the people to participate. To-day all parties complain of the light vote and apparent lack of interest on the part of the voters.

Estimating the Republican strength in Iowa by the vote cast for Taft electors in 1908 (275,209), the number of primary ballots cast for all three Republican candidates for Governor in 1908 was 93,346 less than those cast for presidential electors. In the primary for 1910, with only two Republican candidates in the field for the office of Governor and both of them well known, both having been candidates for that office in the first primary the Republican party polled 5000 votes less than in 1908 when there were three candidates in the field

In the primary of 1908 the Democratic party had but one candidate in the field for the office of Governor, and he polled 50,065 votes, while at the general election in November he received 196,929 votes, about 4000 votes less than were cast for Bryan electors. In the primary of 1910 the Democrats had three candidates for the office of Governor and the total Democratic vote cast for all three of them (46,982) was over 3000 less than the single candidate received in 1908.

Thus it is evident that the number of contestants does not necessarily influence the size of the vote cast. County and district contests, however, seem to have brought out more votes than the uncontested districts and counties. There were contests among the Republicans in the primary of 1910 in five of the eleven congressional districts, and more than half of the Republican vote of the State was cast in these five districts. Contests in the counties brought out a larger number of votes than in uncontested counties. For instance, a lively contest in Dubuque County for all elective offices on the Democratic ticket brought out 4178 Democratic votes at the primary. This was more than the Democratic party polled in the remainder of the third district where their normal strength is about 17,000 votes. Dubuque, however, is the only strongly Democratic county in the district and usually polls about 6500 Democratic votes. Taft electors received 4708 votes in Dubuque County; but as the Republican situation was hopeless there were no contests in the county and only 966 Republican votes were cast at the primary in 1910. Thus the Republicans polled but one-fifth of their vote.

Local contests sometimes seem to have overshadowed State or district contests. Thus the office of sheriff in Dubuque County received a third more votes than were cast for the office of Governor in the same county.

To explain the light vote seems to have been the task of every paper in the State from the country weekly to the city daily. These explanations are often colored with party bias or preëxisting prejudice. An examination of the returns, however, shows that the cities cast a fair proportion of their normal vote. The great slump came in the rural districts, scant notice being paid to primary day by the farmers of Iowa. They were much more concerned the first week in June in plowing their corn than in endorsing Dolliver and Cummins or in condemning the Taft administration. It has been suggested that June is the worst time of the year to get out the rural vote, and an

effort will undoubtedly be made in the General Assembly this winter to change the primary to a later date, probably September.

Another explanation for the light vote, which has been made a basis of criticism of the Iowa primary, is that the voters themselves are indifferent and disinterested. The party workers are as active as under the old system, but the people seem to care little which way things go.

The *Des Moines Register and Leader* the Progressive organ that stoutly defended the Iowa primary against its first critics, remarked editorially as follows after the recent primary:

Many explanations can be given for the light vote, and are being given. But behind them all there is an evident disappointment that the Republicans of the State did not turn out and express their preferences. With politics a biennial affair it would seem that any important issue should bring the people to the polls. Certainly there was enough involved in the present campaign to justify a rousing primary. But the people have not responded. If in the future they prove equally indifferent a serious question will be raised as to the feasibility of direct popular appeal. Iowa will not abandon the direct primary but there will be much less dogmatic insistence on it than there has been.

Another serious charge against the primary method of choosing candidates is that most of those who vote do not do so intelligently. Iowa boasts of a very small per cent of illiteracy in proportion to her population, yet the public press of Iowa rings with the assertion that the majority of voters at the last Iowa primary did not vote intelligently. Some attribute this apparent unintelligent voting to a lack of knowledge of the candidates on the part of the voters. The primary election returns seem to justify the statement that

in counties where a contestant's name appeared first on the ballot he invariably carried that county. If Carroll headed the list the Carroll voter voted almost in all cases for the head of the list for every other office, imagining they were Carroll men or vice versa.

No little amusement was occasioned by the finding that Senator Cosson, as candidate for the office of attorney general received the highest number of votes in Scott County where his name appeared first on the list. Senator Cosson is the author of several laws for the better regulation of the liquor traffic, which laws have been particularly distasteful to many people in Scott County. "Which is our

side?" is said to have been the anxious inquiry of many a voter who had failed to acquaint himself with the candidates for nomination.

In the last primary campaign the issue between the two factions of the Republican party was clearly drawn on the endorsement of the administration of President Taft. The endorsement of the President meant the condemnation of our Insurgent Senators who had opposed the administration policy, declared the Progressives. The Standpatters succeeded in nominating their candidate for Governor. This was a personal victory for the candidate, but an empty honor as far as the Standpatters were concerned. The State convention called in accordance with the provisions of the primary law was Progressive by a large majority, and the Insurgent Senators made the chief speeches and wrote the platform, in which the national administration was dismissed with a statement of approval of those measures for reform which had been advocated by the President. No wonder that a leading Standpat editor exclaimed: "Another such victory and we are undone."

Some attribute these inconsistent results to unintelligent voting, but another explanation will be offered. A significant illustration of disinterested, if not unintelligent, voting is announced by the *Des Moines Capital*, namely; that candidates for offices in which there were no contests received continuing smaller votes, according to their position on the ticket. For instance, the candidate for Lieutenant Governor received more votes in most counties than did the candidate for Secretary of State, who followed on the ballot. The next office down the ballot was State Auditor, and he received less votes generally than did the Secretary of State. The State Treasurer followed the State Auditor, and his vote was less than that which the State Auditor received. The situation indicates that the voters in many instances voted simply for candidates when there was a contest, and then, if they started to mark down the ballot, quit, casting no vote for the candidates who had no contests.

It is further charged that the primary in Iowa is unrepresentative, because the mass of the voters did not appear at the polls, and because the test of party affiliation is not rigid enough to keep the minority parties from determining the nominations of the majority party. It is asserted that the minor parties, having practically made all of their nominations at a pre-primary caucus, may freely and aggressively participate in the primary election of the majority party if their consciences will permit them to do so.

Again in the selection of township officers complaint is made that two or three votes have often nominated important township officers. A man with two or three boys of age to vote for him may get a nomination and at the same time be a person non grata in the community which he represents.

Furthermore in the choosing of delegates to the county conventions the primary is declared to be unrepresentative. A few men it is said make up a list of delegates in advance for each voting precinct, print the names on gummed paper and send them out to the voters who vote the ticket straight, not knowing what the proposed delegates stand for. To be sure, it is answered that any other two or three men can put up opposing delegate tickets, and if none are put up no one ought to complain since some one must look after these things.

The cost of candidacy under the Iowa primary law is severely criticised by both parties. The *Dubuque Telegraph Herald*, a Democratic paper, demand stringent statutory regulation of expenditures by candidates, asserting that as much as \$2000 had been spent in a single county by a contestant. A poor man, it is declared, can not afford to go into a contest with a man of means.

The *Washington (Iowa) Democrat* laments that it cost \$1500 to determine which of two candidates should be nominated for sheriff, and that places on the Board of Supervisors involved expenditures of money far in excess of the salary attached.

"The man with the largest purse," says the *Waterloo Times-Tribune* "is most likely to get up the most enthusiasm and get most of the votes at the polls." "Judge Prouty," says the *Story City Herald*, "spent \$5,000 in his primary campaign for the congressional nomination. This is one year's salary of a member of the House. If Prouty spent as much the other three times he ran, and it is pretty generally conceded that he did, he will have to remain in Congress four years in order to get his money back. . . . Prouty can afford to dig up the hard coin of the realm in order to get an office, but it looks as though the game of politics has progressed beyond the reach of the man whose purse is not so long."

The expense of the primary to the State is also criticised. The *Des Moines Daily Capital* asserts that the primary election cost ninety-six cents per ballot in Scott County. One dollar per ballot is frequently asserted to be the cost of the primary to the tax payers of Iowa.

"The present primary law" says the *Anita Tribune*, "is an expensive luxury which could be easily denied the people as a whole, and would be a saving of not less than a quarter million of dollars to the tax payers of the State during each biennial period."

Not many charges of open corruption are made against the operation of the Iowa primary, but that it has lent itself to "Boss" control is the repeated assertion of the Standpat press.

"Talk about the people making nominations," says the *Fairfield Ledger*, "why the politicians already control the machinery more than they did under the old caucus system, and they are only kindergarteners in the business as yet."

The Iowa primary law is declared by some to be a failure because each faction goes back to the caucus idea. Two secret conferences are said to have taken the place of one public legalized caucus. That both parties have resorted to a pre-primary caucus is openly acknowledged, and the assertion is made that the primary law was all but ignored in the southern counties of the State.

The following are some miscellaneous press comments on the recent primary:

Genuine reform will come in at least one respect, when the primary ballot is finally wiped clean off the Statute books of the State.—*Anita Tribune*.

If there can be no improvement, if there can be no more interest, the old caucus-convention method is more representative.—*Waterloo Times-Tribune*.

"At the time the primary law was passed," says the *Des Moines Capital*, "we made the prediction that two years would find the law thoroughly discredited."

The Primary election has lost almost completely whatever favor it ever held. The complaints against it are too numerous to mention.—*Toledo Chronicle*.

We believe the people are tired of the primary law.—*Arlington News*.

Among all of these condemnations of the Iowa primary law, what strikes the reader most is the almost total absence of suggestions for reform, most of the opposition apparently being content to return to the old caucus-convention system.

The *Dubuque Telegraph-Herald* declared immediately after the primary last June that the Short Ballot must be adopted to make the direct primary a success. And the *Des Moines Register and Leader*

in its issue of December 12, 1910, seems to be the most recent convert of that idea.

The only reform suggestion emanating from the Standpat press that I have found calls for a strict registration of Democrats and Republicans sixty days before the primary, and that counties should be authorized to hold conventions submitting two names for each office to be filled, then have the people in a primary election choose between these double sets of names presented by the conventions.

As a means of encouraging participation in the primary the chief progressive organ declares that there is much to say in favor of remitting the poll tax of all who vote at the primary and general elections.

In conclusion, then, it seems to me that the Iowa primary law has been judged and criticized too much from the standpoint of political results instead of from the viewpoint of the opportunity which it presents. The old method was certainly open to all of the criticisms and objections that have been directed against the Iowa primary election law. The new system has not destroyed the party, but it has overthrown some of the old party practices.

The Iowa primary must be looked upon as an opportunity of Democracy, which is still in the experimental stage. To be sure it will require considerable revision and amendment, but it must be remembered that the old caucus-convention system was not a mushroom growth.

I do not believe that the people of Iowa are disposed to give up the primary election system. Nevertheless the advocates of the direct primary must concern themselves more with educating the people in the spirit of the law than in immediate success at the polls.